



W.P.(MD)No.28217 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28217 of 2022

T.Haridoss

... Petitioner

Vs.

1. The Commissioner of Municipal Administration,
Santhome High Road,
Chennai - 600 028.

2. The Commissioner,
Cuddalore Municipality,
Cuddalore.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to sanction the personal benefits of the petitioner like Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs at his credit as on 31.10.2014 in the light of the orders passed by this Court in W.P.No.20530 of 2014 dated 23.10.2017.



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For Petitioner : Mr.R.Murali
For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1
Mr.P.Srinivas for R2

ORDER

This Writ Petition has been filed for a direction to the respondents to sanction the personal benefits of the petitioner like Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs at his credit as on 31.10.2014 in the light of the orders passed by this Court in W.P.No.20530 of 2014, dated 23.10.2017.

2. The case of the petitioner is that the petitioner was appointed as Junior Assistant in Devakottai Municipality on 24.06.1981 and after subsequent promotions, he was promoted as Revenue Officer in the year 2013. Thereafter, he was transferred to various Municipality and finally, he was transferred to Cuddalore Municipality as Revenue Officer. While he was working as Revenue Officer, during the year 2013, he was arrested under the provisions of Prevention of Corruption Act and the petitioner reached the age of superannuation on 31.10.2014. In the meantime, the first



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respondent passed an order on 27.10.2014 not permitting him to retire from service due to the pendency of the criminal case under the Act. Hence, he made a representation to the respondents on 03.11.2020 for disbursing the personal benefits like Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs at his credit as on 31.10.2014. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the concerned respondent is directed to dispose of the representation of the petitioner, dated 03.11.2020, on merits and in accordance with law, within a specified period.

4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs



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the concerned respondent to consider the petitioner's representation, dated 03.11.2020 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking Order : Yes / No

vji

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M.DHANDAPANI,J.

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